

Government of the District of Columbia

ZONING COMMISSION



ZONING COMMISSION ORDER NO. 139

CASE NO. 76-10

December 2, 1976

Pursuant to notice, a public hearing of the Zoning Commission was held on September 8, 1976, to consider an amendment to the text of the Zoning Regulations. The Commission having met and having determined that it is appropriate to transfer the review of roof structures from the Board of Zoning Adjustment to the Zoning Administrator, by providing specific standards for the administrative review of roof structure applications, which standards will preserve the purpose and intent of the Zoning Regulations, the Commission hereby ORDERS the adoption of the following amendment to the text of the Zoning Regulations:

TEXT CHANGE INSTRUCTIONS

1. Substitute the following for existing Sub sections 3308.1, 3308.2 and 3308.3.

3308.1 So as to exercise a reasonable degree of architectural control upon roof structures in all districts, housing for mechanical equipment, stairway and elevator penthouses and when not in conflict with the Act of June 1, 1910 (36 Stat. 452) penthouses for storage and toilets incidental and accessory to roof swimming pools shall be subject to conditions and variable floor area ratio credit specified below:

3308.11 When located below, at the same roof level with, or above the top story of any building or structure, penthouses, as outlined above, shall be subject to Paragraph 3201.26, 4201.22, 4403.3, 4503.6, 5201.23 or 6201.22 when applicable and to conditions and variable floor area ratio specified below.

3308.12 All penthouses and mechanical equipment shall be placed in one enclosure, same to harmonize with the main structure in architectural character, material and color. Enclosing walls from roof level shall be of equal height and shall rise vertically to a roof except as provided in Paragraph 3308.13.

3308.13 When consisting solely of mechanical equipment, such equipment shall be fully enclosed as prescribed in Paragraph 3308.12, except that louvers may be provided. A roof over a cooling tower need not be provided when such tower is located at or totally below the top of enclosing walls.

3308.14 Solely for the uses designated in this section, an increase of allowable floor area ratio of not more than 0.37 shall be permitted.

3308.15 Roof structures shall not exceed one-third of the total roof area for those districts where there is a limitation on the number of stories.

3308.16 In addition to the floor area ratio allowed by Sub-section 3308.14, mechanical equipment owned and operated as a roof structure by a fixed right-of-way public mass transit system shall be permitted in addition to roof structures permitted in Sub-section 3308.1 and 3308.2.

3308.17 Before taking final action on a roof structure plan, the Zoning Administrator shall have submitted the plan to the Director, Municipal Planning Office for review and report. Such report shall be returned within fifteen (15) days of the date of submission unless a different period has been provided by mutual agreement of all parties involved.

3308.2 Where impracticable because of operating difficulties, size of building lot or other

or other conditions relating to the building or surrounding area which would tend to make full compliance unduly restrictive, prohibitively costly or unreasonable, the Board of Zoning Adjustment is empowered to approve the location and design of any or all of such structures even if such structures do not meet the normal setback requirements of Paragraphs 3201.26, 4201.22, 4403.3, 4503.6, 5201.23 or 6201.22 when applicable, and to approve the material of enclosing construction used if not in accordance with Paragraph 3308.12, provided the intent and purpose of this section is not materially impaired thereby and the light and air of adjacent buildings are not affected adversely.

3308.3 For the purposes of this Section, the following rules of interpretation shall be applicable:

3308.31 In computing the floor area ratio of a roof structure, the aggregate square footage of all levels or floors contained within a roof structure measuring 6.5 feet or more in height shall be included in the total floor area ratio permitted.

3308.32 Areas within curtain walls without a roof used where needed to give the appearance of one structure shall not be counted in floor area ratio but will be computed as a roof structure to determine if same complies with Section 3308.15.

3308.33 For the administration of Section 3308 mechanical equipment shall not include telephone equipment, radio, television or electronic equipment of a type not necessary to the operation of the building or structure.

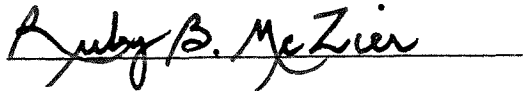
3308.34 In the administration of this section, skylights, gooseneck exhaust ducts serving kitchen and toilet ventilating systems and plumbing vent stacks shall not be considered as roof structures.

3308.35 Roof structures less than four feet in height above a roof or parapet wall will not be subject to this section.

2. Add to the end of Paragraphs 320X.26., 4201.22, 4403.3, 4503.6, 5201.23, "and 6201.23 the following:

"Such roof structures shall not exceed 18 feet, 6 inches in height above the roof upon which they are located."

BY ORDER OF THE DISTRICT OF COLUMBIA ZONING COMMISSION



RUBY B. MC ZIER
Chairperson

Attested



ARTHUR B. HATTON
Executive Secretary